

United States District CourtFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

Aug 21, 2023**Eastern District of Washington**

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Michael John Montejano

Case Number: 0980 2:17CR00231-TOR-1

Address of Offender: [REDACTED], Moses Lake, Washington 98827

Name of Sentencing Judicial Officer: The Honorable Thomas O. Rice, U.S. District Judge

Date of Original Sentence: April 9, 2019

Original Offense: Conspiracy to Distribute 500 Grams or More of Actual Methamphetamine, 21 U.S.C. §§ 846, 841(a)(1), (b)(1)(A)

Original Sentence: Prison - 84 months
TSR - 60 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: U.S. Attorney's Office

Date Supervision Commenced: January 9, 2023

Defense Attorney: Federal Defenders Office

Date Supervision Expires: January 8, 2028

PETITIONING THE COURT

To issue a warrant.

Mr. Montejano's conditions of supervised release were reviewed with him on January 9, 2023. He signed his judgment acknowledging an understanding of his conditions.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1	<u>Mandatory Condition # 1:</u> You must not commit another federal, state or local crime.
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Supporting Evidence: It is alleged that on or about August 17, 2023, Mr. Montejano violated the conditions of his supervised release by committing the federal offense of Possession with Intent to Distribute 40 Grams or More of Fentanyl, 21 U.S.C. § 841(a)(1), (B)(1)(B).

On August 17, 2023, in the Eastern District of Washington, a criminal complaint was filed creating cause number 2:23MJ00296-JAG. The criminal complaint notes that on August 17, 2023, a Bureau of Alcohol Tobacco and Firearms (ATF) special agent (SA) applied for and was granted a search warrant for the property and residence of Mr. Montejano. The execution of the search was conducted on the same day. Located inside Mr. Montejano's residence were 20 small clear plastic baggies containing approximately 25 blue pills identified as fentanyl, and a small amount of cocaine. The SA noted that based on his training and experience, the approximate quantity of 500 fentanyl pills and the way they were packaged, it was consistent with an intent to distribute. Mr. Montejano was contacted on August 17, 2023, as he was departing a local hotel and he agreed to engage in a post-

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Miranda statement. It was at that time, Mr. Montejano informed the SA that located inside his residence was approximately 500 fentanyl pills and a small amount of cocaine. Mr. Montejano was subsequently arrested and on August 18, 2023, he made an initial appearance before U.S. Magistrate Judge Ekstrom, in which he waived his right to both a preliminary and a detention hearing.

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Mandatory Condition #2: You must not unlawfully possess a controlled substance, including marijuana, which remains illegal under federal law.

Supporting Evidence: It is alleged that on or about August 17, 2023, Mr. Montejano violated the conditions of his supervised release by possessing a controlled substance, specifically fentanyl and cocaine.

On August 17, 2023, in the Eastern District of Washington, a criminal complaint was filed creating cause number 2:23MJ00296-JAG. The criminal complaint notes that on August 17, 2023, a Bureau of Alcohol Tobacco and Firearms (ATF) special agent (SA) applied for and was granted a search warrant for the property and residence of Mr. Montejano. The execution of the search was conducted on the same day. Located inside Mr. Montejano's residence were 20 small clear plastic baggies containing approximately 25 blue pills identified as fentanyl, and a small amount of cocaine. The SA noted that based on his training and experience, the approximate quantity of 500 fentanyl pills and the way they were packaged, it was consistent with an intent to distribute. Mr. Montejano was contacted on August 17, 2023, as he was departing a local hotel and he agreed to engage in a post-Miranda statement. It was at that time, Mr. Montejano informed the SA that located inside his residence was approximately 500 fentanyl pills and a small amount of cocaine.

The U.S. Probation Office respectfully recommends the Court issue a warrant requiring the offender to appear to answer to the allegation(s) contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

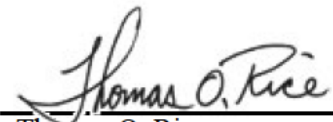
Executed on: August 21, 2023

s/Jonathan C. Bot

Jonathan C. Bot
U.S. Probation Officer

THE COURT ORDERS

- ☒ The Issuance of a Warrant
☐ The Issuance of a Summons
☐ Other



Thomas O. Rice
United States District Judge

August 21, 2023

Date